

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**STANDING HEARING OFFICER DIRECTIVE**

**DOCKET NO. 2019-281-S ORDER NO. 2020-51-H**

**JUNE 15, 2020**

**Standing Hearing Officer: David Butler**

**DOCKET DESCRIPTION:**

**Application of Palmetto Utilities, Incorporated for Adjustment (Increase) of Rates and Charges, Terms and Conditions, for Sewer Service Provided to Customers in Its Richland and Kershaw County Service Areas**

**MATTER UNDER CONSIDERATION:**

**Intervenor Levine's Response to Motion for Prehearing Conference and Subsequent Issuance of Standing Hearing Officer Order No. 2020-50-H.**

**HEARING OFFICER'S ACTION:**

**Intervenor Lisa Levine has requested clarification of the status of her Response to the Motion of Palmetto Utilities for a Prehearing Conference and has posed other questions dealing with various matters in this Docket. This Order references only the status of Ms. Levine's response to the Company's Motion for a Prehearing Conference, and the issuance of the Order. Ms. Levine questions the timing of her response in relation to the issuance of Order No. 2020-50-H, which granted the Motion for a Prehearing Conference.**

**This Standing Hearing Officer notes that the Order in question was issued without knowledge of the existence of Intervenor Levine's Response to the Motion. The Response was received by the Standing Hearing Officer after issuance of the Order. It must be stated that responses to Motions for Prehearing Conference are not normally expected by this Hearing Officer, and especially not responses opposing the granting of such a Motion. Prehearing Conferences are generally beneficial to all parties in a proceeding, because various areas of concern in a case are discussed, and, in some cases, resolved. However, this Standing Officer does recognize the right of a party to file a Response to a Motion filed in a case.**

**Even so, I have now had the opportunity to examine the Response in question, and I hereby hold that the Response would not have changed the findings of Order No. 2020-50-H, even if the Response had been received and reviewed prior to the Order's issuance. Although the Response appears to be in opposition to the Motion for Prehearing Conference, I would note the following language on page 4 of the Response: "Finally, Intervenor states she stands ready for any informal meeting at a reasonable time and place with the parties to**

**these proceedings, should any party desire to discuss any of the foregoing matters.” Intervenor Levine has therefore stated her willingness to participate in a Prehearing Conference, since the Prehearing Conference is precisely for the purpose of informal discussion of issues in the case. The Response actually discusses the issues proposed for consideration at the Prehearing Conference by Palmetto Utilities. The effect of the quoted statement in the Response is actually to agree to the Motion for Prehearing Conference.**

**Accordingly, Order No. 2020-50-H is affirmed, and the Prehearing Conference will be held as scheduled.**

**This ends the Standing Hearing Officer Directive.**